

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA)
)
 v.) No. 1:13-cr-00057-JAW
)
RONALD TRECARTIN)

**FINAL ORDER ON DEFENDANT'S MOTION FOR COUNTY JAIL TIME
CREDIT**

On December 4, 2019, the Court issued an order on Ronald Trecartin's motion for county fail time credit. *Order on Def.'s Mot. for County Jail Time Credit* (ECF No. 68). Concluding that the record before the Court did not substantiate Mr. Trecartin's claim that during the period from September 26, 2012, to April 4, 2013, while he was in the custody of the state of Maine, he had been either in federal custody or in state custody for conduct relevant to his federal offense, the Court tentatively concluded that (with the exception of a few days in federal custody for which he had already been given credit), he was not entitled to a credit on his federal sentence for the time he spent in state custody from September 26, 2012, to April 4, 2013. *Id.* at 1-7.

Acknowledging that there are "gaps in its chronology," the Court invited Mr. Trecartin, if he wished to do so, to supplement his motion if he believed the Court's analysis was incorrect. *Id.* at 6-7. The Court gave Mr. Trecartin twenty-eight days to supplement his motion and warned Mr. Trecartin that if he failed to do so, the Court would dismiss his motion without prejudice. *Id.* at 7.

The date by which Mr. Trecartin should have filed a supplemental memorandum was January 2, 2020. However, aware of occasional difficulties with

prison mail and of the so-called mailbox rule, *Houston v. Lack*, 487 U.S. 266, 275-76 (1988); *Donovan v. Maine*, 276 F.3d 87, 89-90 (1st Cir. 2002), the Court tugged on Mr. Trecartin's deadline to make sure that he had not put something in the mail. As it is now January 13, 2020, eleven days beyond the time Mr. Trecartin was given to file his supplemental document, and having received nothing further from him, it seems safe to conclude that Mr. Trecartin does not intend to file anything further with the Court on this issue.

For the reasons described in detail in its December 4, 2019, order, the Court DISMISSES without prejudice Ronald Trecartin's Motion for County Jail Time Credit (ECF No. 67).

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 13th day of January, 2020